

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CASE NO. 4:24-CR-434
	§	
AURELIO QUINTANILLA, JR.	§	

MOTION FOR PRELIMINARY ORDER OF FORFEITURE

Now comes the United States by and through the United States Attorney for the Southern District of Texas and the undersigned Assistant United States Attorney requesting the Court to enter a Preliminary Order of Forfeiture. In support, the United States submits the following:

On January 17, 2025, the Defendant, Aurelio Quintanilla, Jr. (“Defendant”), pleaded guilty to Count Two of the Indictment. Count Two charged Defendant with **Transportation of Child Pornography**, in violation of Title 18, United States Code, §§ 2252A(a)(1) and 2252A(b)(1). (DE 27).

The Indictment provided the Defendant notice that, in the event of his conviction, the United States would seek to forfeit, pursuant to Title 18, United States Code, § 2253(a), all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offense charged in Count Two; and all property, real and personal, used or intended to be used to commit or to promote the commission of the offense charged in Count Two, or any property traceable to such property, including, but not limited to, an iPhone 14 Pro Max, SN: CKQFH60YGV (the “electronic device”).

The factual stipulation in support of the guilty plea establishes the requisite connection between the electronic device and the offense of conviction. Specifically, the stipulation establishes that on the dates alleged in the Indictment, the Defendant used the electronic device to

transport multiple images of child pornography. These images of children engaged in sexually explicit conduct meet the federal statutory definition of child pornography as defined under federal law (18 U.S.C. 2256(2)(A)).

Statutory Authority for Entry of Preliminary Order of Forfeiture:

Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure provides that a forfeiture determination “may be based on evidence already in the record, including any written plea agreement, and on any additional evidence or information submitted by the parties and accepted by the court a relevant and reliable.” The factual basis in the record supports a finding that the electronic device is involved in the offense of transportation of child pornography and is, accordingly, subject to forfeiture.

The United States respectfully requests the Court to enter the attached Preliminary Order of Forfeiture forfeiting the electronic device to the United States.

Respectfully submitted,

NICHOLAS J. GANJEI
United States Attorney

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CERTIFICATE OF CONFERENCE

The Defendant is unopposed to the United States' Motion for Preliminary Order of Forfeiture, as reflected by the agreement to forfeiture in the signed Plea Agreement.

/s/ Michael Day
MICHAEL DAY
Assistant United States Attorney

CERTIFICATE OF SERVICE

On February 6, 2025, the above Motion for Preliminary Order of Forfeiture and proposed Order was served upon the Defendant, by and through his attorney of record via electronic case filing (ECF).

/s/ Michael Day
MICHAEL DAY
Assistant U.S. Attorney